

COMMUNITY

Jury trial for former PTO president scheduled for June

By Charles Mattox
KyNewsGroup
charles@kynewsgroup.com

A former PTO (Parent Teacher Organization) president, who was named in an 11-count indictment, last year, has appending, two-day, jury trial on June 30-July 1, 2025 in Fleming County Circuit Court.

Erica Martin Earlywine, 42, of Highland Drive, Flemingsburg, was indicted by members of a March 15, 2024, Fleming County Grand Jury on two counts of theft by unlawful taking, more than \$10,000 but less than \$1 million and nine counts of tampering with evidence.

According to the indictment, which was issued following the testimony of Kentucky State Police Detective, Justin Flannery, the alleged crimes occurred from September 2022, when Earlywine was PTO president at Ewing Elementary and from September 2022 to 19 September 2023, when Earlywine was PTO president of Flemingsburg Elementary.

Earlywine was taken onto custody by Kentucky State Police Trooper, Gary Smith, on Tuesday evening, September 19, 2023, and charged with 45 counts of forgery, 2nd degree and abuse of public trust, more than \$10,000 but less than \$100,000.

Earlywine was initially lodged in the Mason County Detention Center, but posted 10 percent of a \$10,000 bond and was released shortly after her arrest.

Earlywine was initially charged with 45 counts of forgery, 2nd degree and one count of abuse of public trust, and those charges were forwarded to a grand jury on October 31, 2023, following a preliminary

hearing in Fleming District Court.

During the preliminary hearing, Detective Flannery testified under questioning from Assistant County Attorney, Blaze Tomlinson, and Earlywine's attorney, Michael Campbell.

Flannery and Tomlinson gave testimony in person at the Fleming County Justice Center, Campbell and Earlywine were part of the conference zoom call from elsewhere.

Earlywine was accused of forging 45 checks under the name of the PTO treasurer, Mary Puente, and making numerous personal purchases with a PTO issued debit card, according to her arrest citation.

Police call Puente a victim and was at no time a suspect in the investigation.

Detective Flannery testified and penned on court documents that 2023 PTO funds totaled \$53,362 in the weeks prior to the investigation, but on August 8, 2023 the funds had been depleted to \$48 and by September 18, 2023 had been reduced to \$1.53.

Kentucky State Police Officers were contacted by the Fleming County School Board members after school shirts were made on an order for FES PTO, but there were not enough funds in the PTO account to pay for them upon completion.

Some PTO Debit Card withdrawals made in the weeks before the Tee Shirt debacle were from typical PTO expenditures, but Flannery said about \$23, 452 of the withdrawals were "unexplained" and indicated those were unlawful withdrawals from Earlywine.

According to Flannery, the PTO debit card which was used by Earlywine for personal purchases including purchases made at Walmart, Red Lobster,

Dicks Sporting Goods, multiple gas stations, Little Ceasars, Krogers, Glitter Me Pink, various drug stores, nail salons, Sally Beauty and additional cash withdrawals that could not be found in association with any PTO purchases, according to court documents.

Earlywine had been president and overseeing the finances of the Flemingsburg Elementary PTO, since October 2022, according to multiple sources. Concerns over the missing funds were brought to the attention of the Superintendent of Fleming County Schools, Dr. Brian Creasman, who was notified and briefly discussed the situation with board members before contacting Kentucky State Police on September 18.

Local PTO organizations are largely independent entities, much like an independent alumni group might be; which collects funds for school purposes and to help students, but has nearly no oversight. The FES PTO does not operate within the oversight of the Fleming County School Board, or the school board's administration, so as far as 'checks and balances'; from what this reporter can ascertain, the only checks in question were those that were forged, and the only balances were those in a local checking account at a bank, which came up short when it came time to pay a local vendor for tee shirts

and there were inadequate funds to cover the bill, according to sources in law enforcement and the school administration.

Michael Campbell did a thorough job in his cross-examination of Detective Flannery, particularly in note of the charge of abuse of public trust, stating that PTO elections were not classified under the Kentucky Revised Statutes and therefore the charge was invalid because no one could point to a Kentucky revised Statute that would indicate PTO officers were public officers, or were employed by members of the state or county, and the criteria for the charge had simply not been met, as the PTO was "a private corporation."

Tomlinson objected to Campbell's arguments and questioning several times and noted that the Kentucky Department of Education provided oversight to PTO and thus the charge was valid. He also indicated that Fleming County tax payers who supplied the schools of Fleming County and supported students, though not directly to PTO, had 'skin in the game'.

Special Judge, Honorable Elizabeth Chandler noted Campbell's arguments and the points he was attempting to make, but ultimately said those points would be more relevant to the "discovery" aspect of the case if and when it moved further into the judicial calendar year in

Fleming Circuit Court. She then ordered all charges be bound over to a future Fleming County Grand Jury, which led to the issuance of Martin's nine-count indictment and pending trial

All persons are to be presumed innocent until proven guilty or pleading guilty.



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City of Flemingsburg, Kentucky
Ordinance No. 5-25-1

An Ordinance repealing all prior ordinances enacted by the city of Flemingsburg, Kentucky adopting the Kentucky model procurement code.

Whereas, the City Council of the City of Flemingsburg did on the 27th day of November, 2000 adopt the provisions of the Kentucky Model Procurement Code ("the Code"); and

Whereas, since being adopted by the City of Flemingsburg, said ordinance has been amended by Ordinance No. 10-09-1 and 12-19-1 as well as any other ordinances not set out herein; and

Whereas, the City of Flemingsburg desires to repeal the ordinances set out above as well as any other ordinances previously adopting the Kentucky Model Procurement Code,

Now therefore, be it ordained by the City of Flemingsburg, Kentucky:

Section 1. Appeal of Ordinances adopting the Kentucky Model Procurement Code

Ordinance No. 10-09-1 and Ordinance No. 12-19-1 are hereby repealed in their entirety as well as any other ordinances enacted by the City of Flemingsburg adopting the Kentucky Model Procurement Code.

Section 2. Inconsistent Ordinances Repealed

That, all ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 3. Effective Date

This ordinance shall be adopted after two readings, and passage thereof by a majority of the City Council, and shall become effective after publication as required by law.

First Reading

The first reading of this ordinance was had on the 14th day of April, 2025.

Katie Adamson, City Clerk

Second Reading

The second reading of this ordinance was had on the 12th day of May, 2025, and upon a roll call vote was adopted by the City Council of the City of Flemingsburg, Kentucky.

Katie Adamson, City Clerk

Mayoral Approval

I, Van Alexander, Mayor of the City of Flemingsburg, Kentucky hereby accept and approve the foregoing Ordinance and direct same to be published in full this 12th day of May, 2025.

Van Alexander, Mayor

Attest:Katie Adamson, City Clerk


Prepared by:
Darrell K. Ruark
Suit, Price, Price & Ruark, PLLC
City Attorney
207 Court Square, Flemingsburg, KY 41041
(606)849-2338

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